

FIFTH DAY

(Thursday, January 19, 1961)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Kazen	Rogers
Lane	Schwartz
Martin	Willis

Absent—Excused

Baker	Krueger
Dies	Secrest
Hazlewood	Smith
Herring	Weinert
Hudson	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"We pause before Thee, our Father, to recognize Thee as the giver of every good and perfect gift. The air we breathe, food, shelter and raiment, are all gifts from Thy bountiful hand. Without Thee can do nothing. Be with this Senate today; supply all our needs through Jesus Christ, our Lord. In whose name we pray. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absences

Senator Krueger was granted leave of absence for today on account of important business on motion of Senator Reagan.

Senator Baker was granted leave of absence for today on account of important business on motion of Senator Reagan.

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Reagan.

Senator Weinert was granted leave of absence for today on account of important business on motion of Senator Reagan.

Senator Smith was granted leave of absence for today on account of important business on motion of Senator Kazen.

Senator Dies was granted leave of absence for today on account of important business on motion of Senator Kazen.

Senator Hudson was granted leave of absence for today on account of important business on motion of Senator Owen.

Senator Secrest was granted leave of absence for today on account of important business on motion of Senator Owen.

Senator Herring was granted leave of absence for today on account of important business on motion of Senator Parkhouse.

Adjournment

On motion of Senator Hardeman the Senate at 10:38 o'clock a.m. adjourned until 10:30 o'clock a.m. on Monday, January 23, 1961.

SIXTH DAY

(Monday, January 23, 1961)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Lane

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Holy Father, as the flower turns to the sun for life and light, so may our minds and hearts turn to Thee whose life is the light of all men. In the light of Thy presence, we would wait, walk, and work today. Make us mindful that the night comes on when no man can work. We pray in Christ's name. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 19, was dispensed with and the Journal was approved.

Leave of Absence

Senator Lane was granted leave of absence for today on account of important business on motion of Senator Hardeman.

Senate Resolution 22

Senator Hardeman offered the following resolution:

Whereas, The United Nations Charter was approved in the United States Senate on July 28, 1945 and thus began the "honeymoon period of the Charter" during which time the one-worlders, both in and out of the United Nations, seeking ways and means to circumvent, or alter its intentions, proceeded, and are still proceeding, by a variety of devious maneuvers and clever resorts to semantics, to transform the United Nations into a "World Government" or to give it many of the incidents thereof, and

Whereas, On August 3, 1946, while the Senate of the United States was considering the Morse Resolution (S. Res. 196), authorizing unconditional acceptance by the United States of compulsory jurisdiction of the International Court of Justice, Senator Connally, of Texas, introduced a reservation or condition thereto, which provided that this country's acceptance of the jurisdiction of the World Court, as it is popularly known, "shall not apply to disputes with regard to matters which are essentially within the jurisdiction of the United States, as determined by the United States," which was adopted by a very substantial majority of the Senate; and

Whereas, with the deep disappointment of the one-worlders and international do-gooders at this action, the movement to bring about the repeal of the "Connally Reservation" was begun, resulting in the introduction of S. Res. 94, by Humphrey of Minnesota, on March 24, 1959, which lay dormant until President Eisenhower, speaking in New Delhi, India, in December, 1959, was reported to have stated that he was "willing to lose a point now and then to an international tribunal in order to obtain a world at peace under rule of law" whereupon, with this Presidential "shot-in-the-arm," hearings were held on S. Res. 94, January 27, 1960, and on February 17, 1960, following which, on March 29, 1960, further action was wisely postponed by the Senate Foreign Relations Committee, and

Whereas, The internationalists, doubtless, will revive the issue at the current session of the Congress and press for the repeal of this safeguard of the preservation of the integrity and sovereignty of the United States, from any arrogated jurisdiction of the International Court of Justice or of the United Nations, either of which, by its own ipse dixit, could internationalize a purely domestic matter so that it lost its character as a domestic issue and lost the benefit, if any, of the protection and immunities provided in the United Nations Charter with respect to such matters, and

Whereas, Pleasing, but empty, platitudes as "World Law" or "World Peace Through Law," wholly without substance, are stock phrases of world-government enthusiasts whose technique is to "sell" world government by attractive labels, since rule of law presupposes a supreme law-giver and a tribunal capable of enforcing it and coercing transgressors, and

Whereas, There is no statutory international law or Law of Nations, but such consists of certain rules and principles of law customarily recognized by civilized nations, supplemented, from time to time, by formal conventions, treaties and pacts and other vague, non-statutory, media dealing with undefined "international obligations," and

Whereas, The so-called World Court is neither a Court nor a judicial body, but a commission, modeled almost exactly upon the pattern of the United Nations Commission on Human Rights, which had no hesitation in promulgating pacts, covenants, and

treaties encroaching upon the domestic affairs of the United States, challenging the sovereignty and independence thereof, and abridging the rights of the people under their own laws and Constitution, for which its only protection, from such prostitution, was found in the Connally Reservation, and

Whereas, It is apparent that, with the repeal of the Connally Reservation, our country would be subjected to the direction of the so-called World Court composed of fifteen members, many of whom hold views inimical to the interests of the United States, chosen by the General Assembly of the United Nations, determining its own jurisdiction, and

Whereas, A number of other nations have only accepted jurisdiction of the World Court with reservations, including, but not limited to, Mexico, France, Russia, Liberia, Union of South Africa, Pakistan, Sudan, India, Australia, United Arab Republic, even though some of these, including Russia, the United Arab Republic and Australia, have representatives on the International Court of Justice, and

Whereas, It is the desire of the United States to settle international disputes by arbitration and peaceful means, rather than by force, nevertheless, it is surely not in the best interests of the United States to surrender its sovereignty and integrity to a World Court, established without either constitutional or statutory authority and existing solely by virtue of its own arrogated power, and

Whereas, By such surrender the United States will have been legally disarmed which is as dangerous as military disarmament, and

Whereas, Only by maintaining a strong America internally will America be strong externally, and

Whereas, Senator Ralph Yarborough having heretofore expressed his opposition to the repeal of the Connally Reservation, it is the desire of the Senate of Texas to commend his position thereon and to urge the other members of the Texas delegation in the Congress to support the Connally Reservation; Now, therefore, be it

Resolved by the Senate of Texas, That it is the sense of this body that the Connally Reservation, preserving the integrity, sovereignty and independence of the United States, be retained for the foregoing and other reasons, and be it further

Resolved, That copies of this Resolution be forwarded, under the Seal

of the Senate of Texas, by the Secretary of the Senate, to the President and to the Vice-President of the United States, to the United States Senators from Texas, to the Speaker of the House of Representatives and to the members of the House of Representatives from Texas, to the Secretary of State of the United States, to the Chairman of the Senate Foreign Relations Committee, and to the Chairman of the House Foreign Relations Committee.

The resolution was read and was adopted.

Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled resolutions:

H. C. R. No. 1, In memory of Uncle Henry Blair, who served as head porter of the Texas House of Representatives.

H. C. R. No. 3, Providing a Joint Session at 10:45 a.m. Monday, January 16, 1961 to canvass votes for the Governor and Lieutenant Governor.

H. C. R. No. 4, Providing for payment of inaugural expenses to be made out of the Legislative Expense Fund of the Fifty-seventh Legislature.

H. C. R. No. 6, Providing a Joint Session.

Senate Resolution 23

Senator Schwartz offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Methodist Boys Club of LaMarque, Texas, accompanied by their sponsor, Mrs. C. V. Rice; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Schwartz by unanimous consent presented the guests to the Members of the Senate.

Senate Concurrent Resolution 8

Senator Moore offered the following resolution:

S. C. R. No. 8, Memorializing Congress to amend the Social Security Act to provide coverage for Texas Firemen and Policemen.

Whereas, Texas firemen and policemen are not now eligible for coverage under provisions of the Federal Social Security Act, although other municipal employees have been extended the benefits of this program; and

Whereas, It is desirable that the firemen and policemen of this State be given the opportunity to participate in the Social Security Program; and

Whereas, In order for Texas firemen and policemen to become eligible for such coverage, it will be necessary for the United States Congress to amend Title 42, Section 418 (p) of the U. S. Code; and

Whereas, This Federal statute has already been amended to extend Social Security coverage to firemen and policemen in seventeen other states, including Alabama, California, Florida, Georgia, Hawaii, Kansas, Maryland, New York, North Carolina, North Dakota, Oregon, South Carolina, South Dakota, Tennessee, Vermont, Virginia, and Washington; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that it is hereby urged that the Congress of the United States amend the Social Security Act to provide coverage for Texas firemen and policemen; and be it further

Resolved, That copies of this resolution be sent to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the United States and to each of the members of the Texas delegation in Congress.

MOORE
WILLIS

The resolution was read.

On motion of Senator Moore and by unanimous consent the resolution

was considered immediately and was adopted.

Co-Author of Senate Concurrent Resolution 8

Senator Willis asked unanimous consent to be shown as co-author of S. C. R. No. 8.

There was no objection offered.

Senate Resolution 24

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the members of the Bexar County Home Demonstration Club; and

Whereas, These ladies are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the guests to the Members of the Senate.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
January 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 6, In Memory of Herbert C. White.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives
Standing Committees of the Senate

The President announced the appointment of the following Standing Committees of the Senate:

Agriculture and Live Stock

Moffett, Chairman; Rogers, Vice-Chairman; Colson, Creighton, Crump, Krueger, Patman, Ratliff, Smith.

Banking

Baker, Chairman; Smith, Vice-Chairman; Calhoun, Gonzalez, Hudson, Martin, Moore, Parkhouse, Reagan, Roberts, Secrest, Weinert, Willis.

Claims

Herring, Chairman; Colson, Vice-Chairman; Calhoun, Creighton, Crump, Kazen, Ratliff.

Constitutional Amendments

Crump, Chairman; Hazlewood, Vice-Chairman; Creighton, Dies, Fuller, Hardeman, Herring, Hudson, Kazen, Krueger, Lane, Martin, Owen, Schwartz, Weinert.

Contingent Expenses

Martin, Chairman; Kazen, Vice-Chairman; Lane, Moffett, Owen.

Counties, Cities and Towns

Aikin, Chairman; Creighton, Vice-Chairman; Baker, Colson, Gonzalez.

Education

Rogers, Chairman; Reagan, Vice-Chairman; Aikin, Fuller, Hudson, Moore, Patman, Ratliff, Secrest, Smith, Willis.

Finance

Roberts, Chairman; Smith, Vice-Chairman; Aikin, Colson, Dies, Fuller, Hardeman, Hazlewood, Herring, Hudson, Kazen, Lane, Martin, Moffett, Moore, Owen, Ratliff, Reagan, Rogers, Weinert, Willis.

Game and Fish

Krueger, Chairman; Moore, Vice-Chairman; Calhoun, Crump, Fuller, Herring, Moffett, Patman, Rogers, Secrest, Willis.

Insurance

Reagan, Chairman; Crump, Vice-Chairman; Baker, Creighton, Fuller, Hardeman, Hazlewood, Martin, Parkhouse, Ratliff, Roberts, Schwartz, Secrest, Weinert, Willis.

Interstate Cooperation

Smith, Chairman; Ratliff, Vice-Chairman; Crump, Moffett, Owen.

Jurisprudence

Hardeman, Chairman; Hudson, Vice-Chairman; Crump, Dies, Fuller, Gonzalez, Herring, Kazen, Krueger, Lane, Martin, Moore, Owen, Parkhouse, Patman, Schwartz, Weinert.

Labor and Management Relations

Ratliff, Chairman; Parkhouse, Vice-Chairman; Hudson, Krueger, Weinert.

Legislative, Congressional and Judicial Districts

Kazen, Chairman; Patman, Vice-Chairman; Aikin, Baker, Dies, Herring, Krueger, Lane, Moffett, Moore, Ratliff, Roberts, Rogers.

Military and Veterans Affairs

Hudson, Chairman; Schwartz, Vice-Chairman; Colson, Krueger, Moffett, Rogers, Willis.

Nominations

Dies, Chairman; Herring, Vice-Chairman; Baker, Calhoun, Kazen, Krueger, Martin, Parkhouse, Ratliff, Rogers, Schwartz, Secrest, Smith.

Oil and Gas

Owen, Chairman; Moffett, Vice-Chairman; Baker, Calhoun, Creighton, Crump, Fuller, Hardeman, Hazlewood, Lane, Patman, Ratliff, Reagan, Weinert, Willis.

Privileges and Elections

Willis, Chairman; Creighton, Vice-Chairman; Aikin, Baker, Calhoun, Crump, Dies, Fuller, Gonzalez, Hardeman, Kazen, Moore, Secrest.

Public Health

Colson, Chairman; Krueger, Vice-Chairman; Baker, Creighton, Fuller, Gonzalez, Hazlewood, Herring, Hudson, Roberts, Secrest, Smith, Weinert.

Rules

Weinert, Chairman; Crump, Vice-Chairman; Lane, Martin, Moffett.

State Affairs

Lane, Chairman; Fuller, Vice-Chairman; Aikin, Baker, Creighton, Crump, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Martin, Moffett, Moore, Parkhouse, Ratliff, Reagan, Secrest, Weinert, Willis.

State Departments and Institutions

Calhoun, Chairman; Colson, Vice-Chairman; Herring, Kazen, Roberts.

Transportation

Fuller, Chairman; Moore, Vice-Chairman; Aikin, Baker, Crump, Dies, Kazen, Krueger, Lane, Martin, Patman, Rogers, Weinert.

Water and Conservation

Parkhouse, Chairman; Dies, Vice-Chairman; Baker, Fuller, Hardeman, Hudson, Kazen, Krueger, Lahe, Moffett, Owen, Patman, Ratliff, Reagan, Rogers, Secrest, Weinert.

Senate Bills and Resolutions on First Reading

The following bills and resolutions were introduced, read first time and referred to the committee indicated:

By Senator Roberts:

S. B. No. 1, A bill to be entitled "An Act appropriating money for the support of the Judicial, Executive, and Legislative branches of the State Government, for the construction of State buildings, the payment of claims against the State, and the State aid to designated public junior colleges for the two-year period beginning September 1, 1961, and ending August 31, 1963; authorizing and prescribing conditions, limitations, rules and procedures for allocating and expending the appropriated funds; and declaring an emergency."

To the Committee on Finance.

By Senators Baker and Schwartz:

S. B. No. 2, A bill to be entitled "An Act creating the University of Houston as a state supported institution of higher education; providing for its management and administration; providing that general laws affecting other State institutions of higher learning and not in conflict with this Act shall apply to the University of Houston; repealing laws in conflict; providing for severability; providing an effective date; and declaring an emergency."

To the Committee on State Affairs.

By Senators Dies and Gonzalez:

S. B. No. 3, A bill to be entitled "An Act termed the Corrupt Practices Act of the State of Texas limiting campaign expenditures by and on behalf of candidates for the United

States Senate in a General or Special Election, and providing Civil and Criminal penalties for violation and repealing all other laws to the extent of any conflict with this Act; providing for severability and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Parkhouse, Lane, Reagan, Colson, Hardeman, Rogers, Ratliff, Roberts, Owen, Schwartz, Willis, Moffett, Patman, Dies, Fuller, and Creighton.

S. B. No. 4, A bill to be entitled "An Act amending Sections 14 and 15 of Chapter 425, Acts of the Regular Session of the 55th Legislature, 1957 (codified as Vernon's Annotated Civil Statutes, Article 8280-9, Sections 14 and 15); providing for broadening the present law governing the Texas Water Development Board and defining its duties; increasing the findings the Board must make that a water supply project cannot be financed without State assistance; removing the present limitation on loans for water supply projects of one-third of project cost; raising the presently authorized ceiling on such loans from \$5,000,000 to \$15,000,000; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Moffett:

S. B. No. 5, A bill to be entitled "An Act amending Sections 5, 6 and 7 of Chapter 147, Acts of the 56th Legislature, Regular Session, by correcting the description of property to be transferred to Midwestern University; providing for the conveyance of certain properties to Midwestern University free and clear of all debts and encumbrances; providing for the termination of the effectiveness of the Act if such properties are not so conveyed prior to September 1, 1961, providing for the acquisition of property by purchase, donations, gift and endowment; authorizing various types of private and public entities to convey property and make pledges of funds to Midwestern University; providing other conditions for the operation of Midwestern University and authorizing Midwestern University to acquire properties and to issue revenue bonds and notes; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

To the Committee on State Affairs.

By Senators Weinert and Harde-
man:

S. B. No. 6, A bill to be entitled "An Act closing wild turkey hunting season in Guadalupe County until November 16, 1965; providing a penalty; repealing all laws in conflict; and declaring an emergency."

To the Committee on Game and Fish.

By Senators Krueger, Herring, Rogers, Crump, Gonzalez and Patman:

S. B. No. 7, A bill to be entitled "An Act amending Acts 1937, 45th Legislature, Page 161, Chapter 86, as amended by Acts 1957, Fifty-fifth Legislature, Chapter 290 (Codified as Article 1528b, Vernon's Annotated Civil Statutes), so as to authorize electric cooperatives, under certain conditions, to serve any structure, apparatus, or point of delivery located in rural areas, or in an area which was a rural area when the corporation first undertook service therein; prescribing the qualifications of members, repealing all laws and parts of laws in conflict herewith; providing effect on cities; containing a severability clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Calhoun:

S. B. No. 8, A bill to be entitled "An Act amending Article 198 of the Revised Civil Statutes of Texas, 1925, as last amended by Chapter 641, Acts of the 47th Legislature, Regular Session, 1941, and Article 1817 of the Revised Civil Statutes of Texas, 1925, as last amended by Chapter 421, Acts of the 55th Legislature, Regular Session, 1957, so as to create the Twelfth Supreme Judicial District, comprised of the counties of Smith, Van Zandt, Henderson, Anderson, Houston, Freestone, Cherokee, Rusk, Nacogdoches, Shelby, Panola, Angelina, Hunt, Rains, San Augustine, Sabine, Wood, Upshur, Kaufman, Navarro, Leon and Trinity, and to locate the Court of Civil Appeals thereof in the City of Tyler; providing for jurisdiction of cases; and declaring an emergency."

To the Committee on Legislative, Congressional and Judicial Districts.

By Senator Reagan:

S. B. No. 9, A bill to be entitled "An Act authorizing certain junior

college districts to offer classes to candidates for baccalaureate degrees in certain fields during their junior and senior years, and to award degrees in such fields providing that funds heretofore or hereafter appropriated by the Legislature of this state shall not be used to defray the costs of conducting such classes; requiring an election to authorize the exercise of the powers herein granted; containing a savings clause; and declaring an emergency."

To the Committee on State Affairs.

By Senators Roberts and Hazlewood:

S. B. No. 10, A bill to be entitled "An Act amending H. B. No. 11, Acts 1959, 56th Leg., 3rd C. S., p. 187, ch. 1, codified in the General and Special Laws of Texas, 56th Legislature, and in Vernon's Civil Statutes of Texas, as Chapter 9, (under Ch. 1) Title 122 A, relating to Taxation—General—Motor Fuel Tax, by adding a section (under Chapter 9 of Ch. 1) denominated as Section (6a) of Article 9.13 and amending Sections (13) and (14) of Article 9.25 (such articles and sections, having been utilized in such codifications, being here used for convenience) pertaining to claimed and unclaimed refunds on motor fuel revenues used for aircraft purposes, making allocation thereof, and making other provisions relating thereto; providing for severability, for repeal of conflicting law, and declaring an emergency."

To the Committee on State Affairs.

By Senators Aikin, Willis, Gonzalez and Schwartz:

S. B. No. 11, A bill to be entitled "An Act amending Sections 1 and 2 of Article IV of Senate Bill 116, Chapter 334, Acts of the Fifty-first Legislature, Regular Session, 1949, as last amended by House Bill 8, Chapter 390, Acts of the 55th Legislature, R. S., to provide a new teacher and administrator salary schedule with increments; amending Section 1 of Article V of Senate Bill 116, supra, as amended by House Bill 376, Chapter 241, Acts of the 53rd Legislature, R. S., to provide for an increased operating cost allotment; amending Subsection (2) (a) and (b) of Section 2 of Article V of Senate Bill 116, supra, as amended by Senate Bill 102, Chapter 409, Acts of the 55th Legislature, R.

S., to increase the allowable total base costs for each bus; amending Sections 1, 2 and 4 of Article VI, Senate Bill 116, supra, as amended by Senate Bill 1, Chapter 5, Acts of the 53rd Legislature, first C. S., 1954, and by Senate Bill 163, Chapter 174, Acts of the 53rd Legislature, R. S., 1953 (Article 2922-16, Sections 1, 2 and 4 V.A.C.S.), to fix the amount to be charged for the 1961-62 school year against the local school districts toward the Foundation School Program and the method to determine thereafter, annually, such charge, providing a repealing and severability saving clause and declaring an emergency."

To the Committee on Education.

By Senator Owen:

S. B. No. 12, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas to select and convey to the County of El Paso, Texas, a tract of land not exceeding sixty-five acres upon the campus of Texas Western College, El Paso, Texas, as a stadium site upon which site will be erected and constructed a stadium, parking areas, access roads, and related facilities by the County of El Paso, Texas, at its expense, said instrument of conveyance providing for reverter to the Board of Regents if permanently abandoned and other considerations which are mutually agreeable to the Board of Regents and the County of El Paso; authorizing the Board of Regents of The University of Texas to contract with the County of El Paso, Texas, for the leasing of the stadium site to the Board of Regents for the use and benefit of Texas Western College for a term of ninety-nine years at a consideration of One Dollar per year, said lease to provide a reservation of use for the Sun Bowl activities of El Paso; authorizing the granting of easements for right-of-way purposes and empowering the Board of Regents and the County of El Paso to do any and all things necessary to carry out the purpose and intent of the Act; and declaring an emergency."

To the Committee on State Affairs.

By Senator Krueger:

S. B. No. 13, A bill to be entitled "An Act to amend the subject matter of the Texas Unemployment Compensation Act, as amended, Chapter 482, Acts of the 44th Legislature, Third

Called Session, 1936, as amended, and as embraced in Section 3 providing benefits and by adding to Section 3 a new subsection to be known as (e) defining 'wages' as used in Section 3(e), Section 4 prescribing benefit eligibility conditions and by adding to Section 4 a new subsection to be known as (f) providing for a one (1) week waiting period prior to the payment of benefits, Section 5 providing for disqualification for benefits and by adding to Section 5 a new subsection to be known as (g) providing that an individual shall be disqualified for benefits for any benefit period with respect to which he is receiving or has received or is eligible to receive remuneration in the form of old age benefits under Title II of the Social Security Act, as amended, or similar payments under any Act of Congress, or a State Legislature, and by adding to Section 5 a new subsection to be known as (h) providing for the disqualification of students for benefits under certain conditions, Section 7 governing contributions; providing an effective date for this Act and its sections; providing for the repeal of all laws and parts of laws in conflict herewith and for preserving rights accrued thereunder; providing for the separability of provisions; and declaring an emergency."

To the Committee on State Affairs.

By Senators Schwartz, Baker, Krueger, Patman, Fuller, Reagan and Hudson:

S. B. No. 14, A bill to be entitled "An Act establishing and providing for a State mentally retarded school; regulating and providing for the operation of same; and declaring an emergency."

To the Committee on State Affairs.

By Senator Willis:

S. B. No. 15, A bill to be entitled "An Act fixing the compensation of the judges of the Civil District Courts of Tarrant County, Texas, and the judges of the Criminal District Courts of Tarrant County, Texas; providing for the manner of payment; providing for the validity of the remaining portion of this Act if any part be declared unconstitutional; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senators Parkhouse, Lane, Rea-

gan, Colson, Hardeman, Rogers, Ratliff, Roberts, Owen, Schwartz, Willis, Moffett, Patman and Creighton:

S. B. No. 16, A bill to be entitled "An Act amending Section 10-B of Chapter 425, Acts of the Regular Session of the 55th Legislature, 1957 (codified as Vernon's Annotated Civil Statutes, Article 8280-9, Section 10-B); amending Section 10-D, Acts of the Regular Session of the 55th Legislature, 1957, as amended by Section 2 of Chapter 164, Acts of the Regular Session of the 56th Legislature, 1959 (codified as Vernon's Annotated Civil Statutes, Article 8280-9, Section 10-D); giving the Texas Water Development Board greater latitude with respect to transfer of moneys between statutory Funds; authorizing investment of certain available funds in obligations guaranteed by the United States so as to obtain higher yields for the State; clarifying certain provisions contained in existing law; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Hardeman:

S. B. No. 17, A bill to be entitled "An Act amending Ch. 490 of the Acts of the 47th Leg., p. 788, of the Session Laws of the Reg. Sess. of 1941, known as Art. 1436b of the Penal Code of the State of Texas, by amending Sec. 3 thereof and adding a new section to be known as Sec. 3a providing that any person in any county of this State with more than one pound of mercury in his possession and who has not in his possession a bill of sale or other written evidence of title shall be guilty of a felony; providing penalties for violation of the terms of the Act; providing that it shall be a defense for defendant to show that he is engaged in the business of mining or processing mercury or can show that the mercury is an integral part of a tool, instrument, or device used for a beneficial purpose; providing that in any complaint, information or indictment it shall not be necessary to negative any exception, excuse, exemption or defense, and the burden of proof thereon shall be upon the defendant; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hardeman:

S. B. No. 18, A bill to be entitled

"An Act to amend Sec. 9, Art. 5932 of Revised Civil Statutes of Texas, 1925, codified as Sec. 9, Art. 5932, of Vernon's Ann. Civ. Statutes of Texas, providing that an instrument is payable to bearer when it is payable to the order of a fictitious or non-existing person or to a living person not intended to have any interest in it and such fact was known to the person making it so payable or was known to his employee or other agent who supplies or causes to be inserted the name of such payee, and declaring an emergency."

To the Committee on Banking.

By Senator Smith:

S. B. No. 19, A bill to be entitled "An Act authorizing certain counties and cities jointly to own, construct, equip, enlarge and maintain a building to be used for city, county and other public purposes; authorizing counties and cities to which this Act is applicable to enter into contracts with reference thereto; enacting other provisions related to the subject; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Smith:

S. B. No. 20, A bill to be entitled "An Act amending the Uniform Act Regulating Traffic on Highways, as amended, by adding to said Act a new Article XIX relating to maximum and minimum speeds of vehicles; providing for an effective date; repealing Section 8, Chapter 42, Acts of the 41st Legislature, Second Called Session, as amended, codified as Section 8 of Article 827a, Vernon's Texas Penal Code; and declaring an emergency."

To the Committee on State Affairs.

By Senators Moffett and Ratliff:

S. B. No. 21, A bill to be entitled "An Act relating to the regulation of the manufacture, sale, or distribution, of commercial fertilizer; repealing Articles 1709 through 1720, inclusive, Title 19, Chapter 12, Texas Penal Code, as amended, and Articles 94 through 108, inclusive, Title 4, Chapter 5, Texas Revised Civil Statutes (1925) as amended; and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senators Parkhouse and Willis:

S. B. No. 22, A bill to be entitled

"An Act to authorize the establishment of special county-wide day schools for deaf scholastics between the scholastic age of Six (6) and Twenty-one (21) years, inclusive, in all counties having a population of Three Hundred Thousand (300,000) inhabitants or more according to the last preceding Federal census; establishing eligibility; providing for admission to the Texas School for the Deaf and Texas Blind, Deaf and Orphan School at chronological age Fourteen (14) or continuing in the county day school; providing an option for students between the scholastic ages of Six (6) and Thirteen (13) enrolled in the Texas School for the Deaf or Texas Blind, Deaf and Orphan School on the effective date of this Act and rendering other such deaf children within such ages ineligible for admission to such State schools except on concurrence of superintendents; providing for financing of county-wide schools hereby established; providing that the Central Education Agency shall develop an educational program for such schools; and declaring an emergency."

To the Committee on State Affairs.

By Senators Schwartz, Patman, Baker and Rogers:

S. B. No. 23, A bill to be entitled "An Act amending Subsection (1) of Section 23 of the Uniform Narcotic Drug Act, Chapter 169, Acts of the Forty-fifth Legislature, Regular Session, 1937, as last amended by Chapter 101, Acts of the 55th Legislature, Regular Session, 1957 (compiled as Subsection 1, Section 23, of Article 725b, Vernon's Annotated Penal Code) to increase the minimum penalty for violation to five (5) years; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Moore:

S. B. No. 24, A bill to be entitled "An Act defining State University-owned land as used in Foundation School Program Act to include certain land owned and used by the Agricultural and Mechanical College of Texas, and declaring an emergency."

To the Committee on State Affairs.

By Senator Gonzalez:

S. B. No. 25, A bill to be entitled "An Act authorizing the establish-

ment of residential hospital institutions for severely physically handicapped persons under the jurisdiction of the Board for Texas State Hospitals and Special Schools; setting out the powers and duties of the Board in the establishment and operation of such institutions; providing requirements for admission to such facilities; and declaring an emergency."

To the Committee on State Affairs.

By Senator Roberts:

S. B. No. 26, A bill to be entitled "An Act authorizing and empowering the Board of Regents of the State Teachers Colleges of Texas to levy a regular fixed student fee for the purpose of operating, maintaining and improving the East Texas State College Union Center Building at the East Texas State College; fixing the amount of said fee; authorizing the Business Manager of East Texas State College to collect the same, and providing the purpose for which said fee shall be used; placing the control of the fees in the hands of the Board of Directors of the East Texas State College Union Center; providing for a budget for the operation of said Union Center; and declaring an emergency."

To the Committee on State Affairs.

By Senator Gonzalez:

S. B. No. 27, A bill to be entitled "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed to them by the Constitution of the United States or the State of Texas, or both, have been denied in the proceedings in which they were convicted, or who assert that their conviction was based, in whole or in part, on false or untrue testimony regarding either the issue of guilt or punishment, regardless of whether or not such false or untrue testimony was unintentionally given; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Parkhouse:

S. B. No. 28, A bill to be entitled "An Act amending Article 128 of Chapter 492, Acts of the 52nd Legislature, Regular Session, 1951, which is codified as Article 8.46 of the Election Code of the State of Texas, so as to provide the term of office of the

Governor shall be four (4) years; providing that no Governor shall succeed himself."

To the Committee on State Affairs.

By Senator Parkhouse:

S. B. No. 29, A bill to be entitled "An Act relating to protected assignments of accounts receivable; amending subdivision (1) of Section 1 of Chapter 293, Acts of Forty-ninth Legislature, as amended (Article 260-1, Vernon's Texas Civil Statutes), so as to change the definition of 'account' or 'account receivable' by deleting the provision therein with reference to sums of money accruing to a contractor for labor performed or material furnished on any public or private construction contract, and substituting therefor a provision excluding from the said definition an assignment to a surety company by such contractor in the application for a surety bond; and amending Sections 3, 4 and 6 thereof by expressly providing that the assignments of existing or future accounts receivable will be protected when executed either before or after the actual filing for record of the 'Notice of Assignment,' provided such notice is filed for record within twenty-one days from the date of execution of the first such assignment."

To the Committee on State Affairs.

By Senator Parkhouse:

S. B. No. 30, A bill to be entitled "An Act amending Article 3.34 of Chapter 491, Acts of the 52nd Legislature, Regular Session, 1951, as last amended, which is codified as Article 3.34 of the Texas Insurance Code, Vernon's Texas Civil Statutes, by adding certain public utility gas corporate securities as eligible investments for Texas insurance companies; repealing laws in conflict; providing for severability; and declaring an emergency."

To the Committee on Insurance.

By Senators Roberts, Owen, Moore and Willis:

S. B. No. 31, A bill to be entitled "An Act amending Subsections (1) and (4) of Section 2, Article XX of Chapter 184, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended; increasing the amounts to be allocated from the Clearance Fund to the Blind Assist-

ance Fund and the Old Age Assistance Fund and allowing certain credits from the first revenues collected to be deposited to these Funds; fixing the operative date of the amendment; providing a repealing clause, a saving clause; and declaring an emergency."

To the Committee on Finance.

By Senator Owen:

S. B. No. 32, A bill to be entitled "An Act validating all acts and proceedings of the Commissioners Court of Hudspeth County, Texas, in creating the Fort Hancock Municipal Water District of Hudspeth County, Texas; validating the district, all proceedings, including all hearings and elections and notices thereof, heretofore had in connection with the establishment of the district, the election of directors therefor, the issuance of notes of said district, the Board of Directors of the district and all actions of said Board of Directors heretofore taken; providing that said district shall hereafter be known as "Fort Hancock Water Control and Improvement District of Hudspeth County, Texas"; appointing directors now constituting the Board of Directors of the Fort Hancock Municipal Water District of Hudspeth County, Texas, as directors for the Fort Hancock Water Control and Improvement District of Hudspeth County, Texas; providing for the amount and kind of bonds for directors; providing the method of giving notice of director elections; setting forth the field notes of the district without making any changes in the area or boundaries of the district; providing that the district may issue bonds when such bonds have been duly authorized at an election held for the purpose and providing the method of giving notice of such bond elections; providing that no election for confirmation of the district and no hearing for exclusions shall be necessary; adopting the ad valorem plan of taxation for the district; finding a benefit to all land and other property within the District; providing district was and is created to serve a public use and benefit; making the district subject to the statutes relating to water control and improvement districts except as otherwise provided; providing for a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Moore:

S. B. No. 33, A bill to be entitled "An Act amending House Bill 104, Chapter 65, Acts of the Forty-first Legislature, First Called Session, 1929, as amended, relating to the regulation of the practice of barbering; providing for licensing of barber shops and fixing fees for such licenses; prohibiting the practice of barbering in a barber shop not licensed and making other provisions relating thereto; increasing the renewal fees of registered barbers; and increasing reinstatement fees for barbers; making other provisions relating thereto; providing a repealing clause; providing a severability clause; and declaring an emergency."

To the Committee on State Affairs.

By Senators Willis, Secrest, Herring, Parkhouse, Fuller, and Smith:

S. B. No. 34, A bill to be entitled "An Act eliminating the requirement of separate and privy acknowledgment of a married woman to instruments purporting to be executed by her, eliminating the requirement of acknowledgment as an essential to the validity of certain instruments; amending Articles 1300, 5460, 1299 and 6607, Revised Civil Statutes of Texas, 1925; repealing Articles 6605 and 6608, Revised Civil Statutes of Texas, 1925, and all other laws or parts of laws to the extent only that they conflict with the provisions of this Act; and declaring an emergency."

To the Committee on State Affairs.

By Senator Smith:

S. J. R. No. 1, Proposing an Amendment to Article III of the Constitution of the State of Texas by adding a new section thereto to be known as Section 62, providing that the Legislature may delegate authority to zone public highways, roads, streets, and alleys or portions thereof; relating to and regulating the speed at which any motor vehicle may be operated thereon; and providing certain exceptions.

To the Committee on Constitutional Amendments.

By Senator Gonzalez:

S. J. R. No. 2, Proposing an amendment to Article III of the Constitution of Texas by adding a new section

49-C, whereby the Veterans Land Board may make loans to veterans.

To the Committee on Constitutional Amendments.

By Senator Parkhouse:

S. J. R. No. 3, Proposing an amendment to Section 4 of Article 4 of the Constitution of the State of Texas, to provide the term for the office of governor shall be four (4) years and no holder of that office shall succeed himself.

To the Committee on Constitutional Amendments.

By Senators Moore, Schwartz, Smith, Willis, Crump, Secrest, Kazen, Gonzalez, Patman, Ratliff, Fuller, Parkhouse and Herring:

S. J. R. No. 4, Proposing an amendment to Article I of the Constitution of Texas by adding thereto a new Section to be known as Section 3a, providing that equality under the law shall not be denied or abridged because of sex; providing that the amendment is self-operative; and providing for its effective date; and providing for the calling of an election and the publication and issuance of the proclamation therefor.

To the Committee on Constitutional Amendments.

Adjournment

On motion of Senator Aikin the Senate at 11:34 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

SEVENTH DAY

(Tuesday, January 24, 1961)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Hudson
Baker	Kazen
Calhoun	Krueger
Colson	Martin
Creighton	Moffett
Crump	Moore
Dies	Owen
Fuller	Parkhouse
Gonzalez	Patman
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts